

STATUTORY INSTRUMENTS

**2005 No. 392**

**The Adoptions with a Foreign Element Regulations 2005**

**PART 3**

**ADOPTIONS UNDER THE CONVENTION**

**CHAPTER 1**

**REQUIREMENTS, PROCEDURE, RECOGNITION AND EFFECT OF  
ADOPTIONS WHERE THE UNITED KINGDOM IS THE RECEIVING STATE**

**Requirements applicable in respect of eligibility and suitability**

13.—<sup>F1</sup>(1) A couple or a person who wishes to adopt a child habitually resident in a Convention country outside the British Islands must notify the agency that they want to adopt a child, and give the agency any information it may require for the purposes of the pre-assessment process set out in Part 4 of the Agencies Regulations or corresponding Welsh provision.]

(2) <sup>F2</sup>An adoption agency <sup>F3</sup>may not proceed with the pre-assessment process referred to in paragraph (1), unless at the date of that notification—]]

- (a) in the case of <sup>F4</sup>a notification] by a couple, they have both—
- (i) attained the age of 21 years; and
  - (ii) been habitually resident in a part of the British Islands for a period of not less than one year ending with the <sup>F4</sup>date of notification]; and
- (b) in the case of <sup>F5</sup>a notification] by one person, he has—
- (i) attained the age of 21 years; and
  - (ii) been habitually resident in a part of the British Islands for a period of not less than one year ending with the <sup>F5</sup>date of notification].

**Textual Amendments**

- F1** Reg. 13(1) substituted (1.4.2020) by [The Adoption Agencies \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/163\)](#), reg. 1(2), **Sch. 1 para. 1(2)(a)**
- F2** Words in reg. 13(2) substituted (1.7.2013) by [The Adoption Agencies \(Miscellaneous Amendments\) Regulations 2013 \(S.I. 2013/985\)](#), reg. 1, **Sch. para. 2(4)(b)**
- F3** Words in reg. 13(2) substituted (1.4.2020) by [The Adoption Agencies \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/163\)](#), reg. 1(2), **Sch. 1 para. 1(2)(b)(i)**
- F4** Words in reg. 13(2)(a) substituted (1.4.2020) by [The Adoption Agencies \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/163\)](#), reg. 1(2), **Sch. 1 para. 1(2)(b)(ii)**
- F5** Words in reg. 13(2)(b) substituted (1.4.2020) by [The Adoption Agencies \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/163\)](#), reg. 1(2), **Sch. 1 para. 1(2)(b)(ii)**

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**Changes to legislation:** There are currently no known outstanding effects for the The Adoptions with a Foreign Element Regulations 2005, Section 13. (See end of Document for details)

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**Commencement Information**

**II** Reg. 13 in force at 30.12.2005, see [reg. 1\(1\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Adoptions with a Foreign Element Regulations 2005, Section 13.